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| CLERK US DISTRICT COURT DISTRICT OF NEVADA | |
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

EDUARDO DIAZ-MARTINEZ,

Defendant.

2:21-CR-103-GMN-NJK

Final Order of Forfeiture

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2); 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c); 18 U.S.C. § 924(d)(1), (2)(C), and (3)(B) with 28 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(2); and 21 U.S.C. § 881(a)(11) with 28 U.S.C. § 2461(c) based upon the plea of guilty by Eduardo Diaz-Martinez to the criminal offense, forfeiting the property set forth in the Plea Agreement, the Stipulation to Interlineate Plea Agreement, the Bill of Particulars, and the Forfeiture Allegations of the Criminal Indictment and shown by the United States to have the requisite nexus to the offense to which Eduardo Diaz-Martinez pled guilty. Criminal Indictment, ECF No. 1; Bill of Particulars, ECF No. 19; Change of Plea, ECF No. 36; Plea Agreement, ECF No. 37; Stipulation to Interlineate Plea Agreement, ECF No. 38; Preliminary Order of Forfeiture, ECF No. 39.

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

1 This Court finds the United States published the notice of forfeiture in accordance
 2 with the law via the official government internet forfeiture site, www.forfeiture.gov,
 3 consecutively from October 9, 2021, through November 7, 2021, notifying all potential third
 4 parties of their right to petition the Court. Notice of Filing Proof of Publication Exhibits,
 5 ECF No. 40-1, p. 5.

6 This Court finds no petition was filed herein by or on behalf of any person or entity
 7 and the time for filing such petitions and claims has expired.

8 This Court finds no petitions are pending regarding the property named herein and
 9 the time has expired for presenting such petitions.

10 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
 11 all possessory rights, ownership rights, and all rights, titles, and interests in the property
 12 hereinafter described are condemned, forfeited, and vested in the United States pursuant to
 13 Fed. R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C.
 14 § 924(d)(1) with 28 U.S.C. § 2461(c); 18 U.S.C. § 924(d)(1), (2)(C), and (3)(B) with 28
 15 U.S.C. § 2461(c); 21 U.S.C. § 853(a)(2); 21 U.S.C. § 881(a)(11) with 28 U.S.C. § 2461(c);
 16 and 21 U.S.C. § 853(n)(7) and shall be disposed of according to law:

- 17 1. a Springfield XD-S, 9mm S/A handgun, bearing serial number XS935993; and
- 18 2. any and all compatible ammunition
- 19 (all of which constitutes property).

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the property
 21 shall be disposed of according to law.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
 23 copies of this Order to all counsel of record.

24 DATED Feb 2, 2022.

25
 26
 27 
 28 GLORIA M. NAVARRO
 UNITED STATES DISTRICT JUDGE